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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/579,735

05/18/2006

Youngbok Son

LK-0017

3547

34610 7590 04/28/2009

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Chantilly, VA 20153-1200

EXAMINER

SCRUGGS, ROBERT J

ART UNIT

PAPER NUMBER

3723

MAIL DATE

DELIVERY MODE

04/28/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/579,735	Applicant(s) SON ET AL.	
	Examiner ROBERT SCRUGGS	Art Unit 3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/25/09, 5/18/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on March 25, 2009 and May 18, 2006 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements have been considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

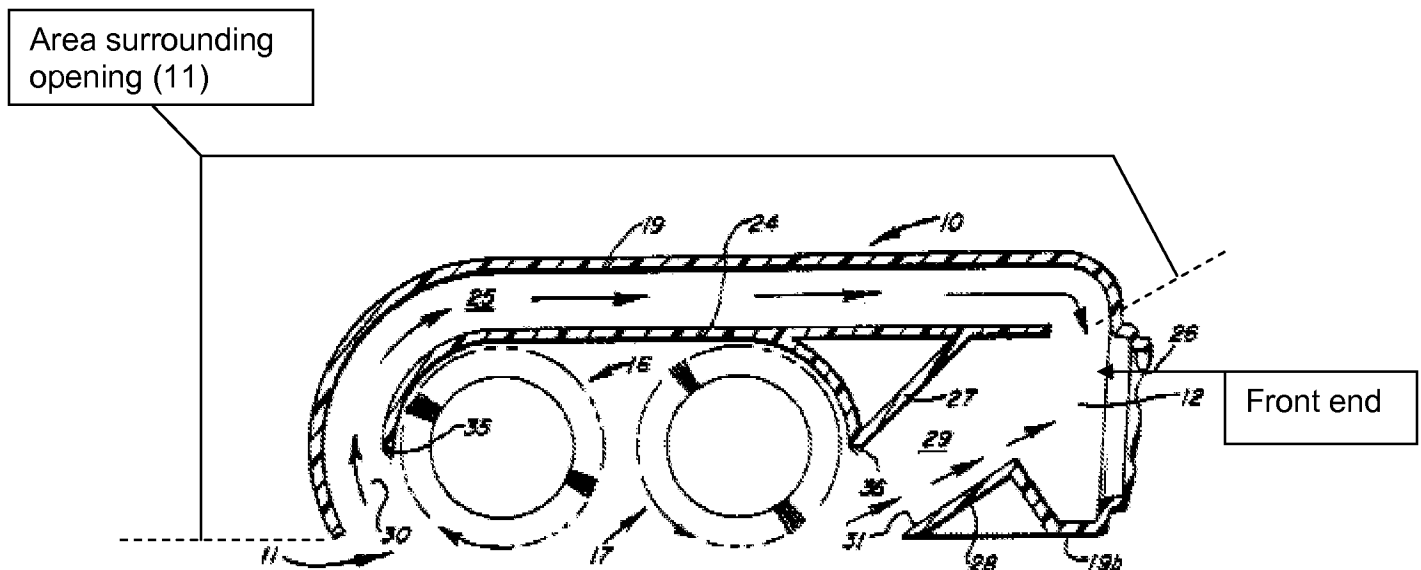
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Nordeen (4426751).

In reference to claim 1, Nordeen discloses a vacuum cleaner comprising, a suction head (10) being installed at a front end of a suction path (12) for sucking substances by a vacuum pressure generated by a suction motor (not shown) and having a suction hole (11) for sucking the substances on its bottom, a brush (17) installed on the suction hole of the suction head and rotated to contact the bottom and a hair tunnel (25) formed on the suction head not to interfere with the brush, for preferentially sucking thin and long substances from the bottom.

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In reference to claim 2, Nordeen also shows that the hair tunnel is linked to the front end of the suction path through a path isolated from the path (29) for linking the suction hole to the front end of the suction path in the suction head (see figure below).



In reference to claim 3, Nordeen also shows that the inlet unit of the hair tunnel surrounds the suction hole (see figure above).

In reference to claim 4, Nordeen also shows that the inlet unit of the hair tunnel is installed at the front portion of the suction hole in the general suction head progress direction (see figure above).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 6 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeen (4426751) in view of Waldhauser (4817233). Nordeen discloses the claimed invention previously mentioned above, but lacks, a sweeper is installed at the inlet unit of the hair tunnel, for preferentially sucking the thin and long substances from the bottom to the hair tunnel. However, Waldhauser teaches a technique of including a sweeper (36 or 38) installed at the inlet unit of a hair tunnel formed by elements (46 and 29, see figure 6) for preferentially sucking the thin and long substances from the bottom to the hair tunnel. One of ordinary skill in the art could have applied the known technique of including a sweeper assembly at the inlet of a tunnel, as taught by Waldhauser, in the same way to the device, of Nordeen, and the results would have been predictable. In this situation, one could provide a vacuum that that more effectively removes dirty water from the surface being cleaned.

In reference to claim 6, Waldhauser also teaches that a sweeper can comprise a first sweeper (36) partially downwardly protruded from the bottom surface of the end of the inlet unit of the hair tunnel far from the suction hole and a second sweeper (44) downwardly protruded from the bottom surface of the end of the inlet unit of the hair tunnel close to the suction hole.

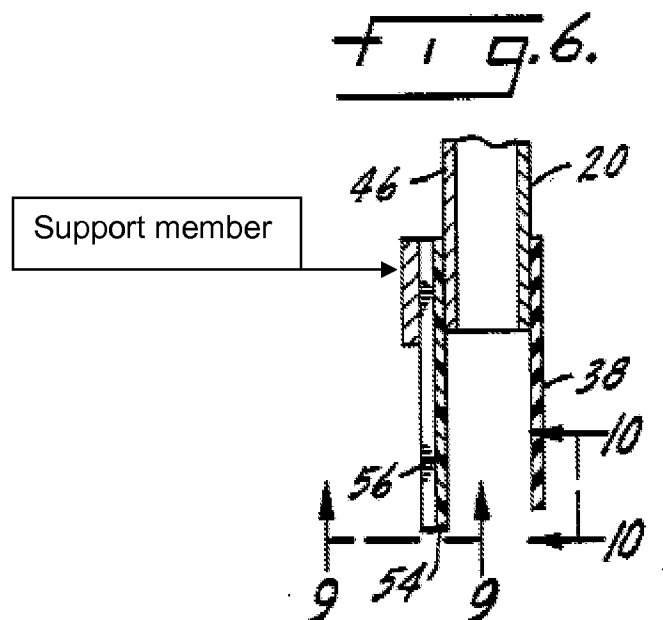
In reference to claim 8, Waldhauser also shows that the first and second sweepers are formed in a comb-tooth shape (Figures 9 and 10).

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In reference to claim 9, Waldhauser also teaches that the sweepers can be formed with various shapes and sizes therefore obviously if one were to select the first sweeper as seen in figure 10 and the second sweeper as shown in figure 9 that obviously the interval of the comb teeth of the second sweeper as seen in figure 9 would be smaller than that of the comb teeth of the first sweeper as seen in figure 10.

In reference to claim 10, Waldhauser also teaches that the comb teeth of the first sweeper can vary in size (Figure 6) therefore obviously one could select the length of the teeth of the first sweeper to be longer than those of the second sweeper.

In reference to claim 11, Waldhauser also shows that the some of the comb teeth of the first sweeper comprise a support member for reducing an operation resistance by the first sweeper.



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6. Claim 7, is rejected under 35 U.S.C. 103(a) as being unpatentable over Nordeen (4426751) in view of Waldhauser (4817233) and Fernandez-Grandizo Martinez (2003/0145425). Nordeen discloses the claimed invention previously mentioned above, but lacks, having a second sweeper is formed in a group bristle shape with a predetermined width. However, Fernandez-Grandizo Martinez teaches a technique of forming a second sweeper (106) in a group bristle shape with a predetermined width (Figure 4). One of ordinary skill in the art could have applied the known technique of forming a second sweeper in a group bristle shape with a predetermined width, as taught by Fernandez-Grandizo Martinez, in the same way to the device, of Nordeen, and the results would have been predictable. In this situation, one could provide a sweeper that can be easily re-configured for cleaning a wide variety of working surfaces.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kasen et al. (5867861) and Kweon et al. (5394588) teach techniques of forming two suction ports on different sides of a nozzle opening.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT SCRUGGS whose telephone number is (571)272-8682. The examiner can normally be reached on Monday-Friday 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RS

/Joseph J. Hail, III/

Supervisory Patent Examiner, Art Unit 3723